

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)
Plaintiff,)
v.)
PATRICK ONEAL GERVAIS,)
Defendant.)

2:12-cr-00174-MMD-PAL

PRELIMINARY ORDER OF FORFEITURE

This Court finds that on July 23, 2012, defendant PATRICK ONEAL GERVAIS pled guilty to Count One of a One-Count Criminal Information charging him with Possession of Child Pornography, in violation of Title 18, United States Code, Section 2252A(a)(5)(B).

This Court finds defendant PATRICK ONEAL GERVAIS agreed to the forfeiture of the property set forth in Forfeiture Allegations of the Criminal Information.

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Criminal Information and the offense to which defendant PATRICK ONEAL GERVAIS pled guilty.

The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section 2253(a)(1) and (a)(3):

a) any book, magazine, periodical, film, videotape, or other matter which contains any such visual depiction, which was produced, transported, mailed, shipped, or received; computer images, including movie and still image files, depicting

1 a minor engaging in sexually explicit conduct and the diskettes and hard drives
2 on which they are maintained;

- 3 b) Acer laptop computer, serial number LXAKV0X935827126472500;
4 c) Gateway computer, serial number FX530XV;
5 d) Hitachi 2TB hard drive, serial number 2TBHDYAJDVXSV;
6 e) Western Digital hard drive, serial number WD20000C033001; and
7 f) Western Digital hard drive, serial number WX61A5026968T ("property").

8 This Court finds the United States of America is now entitled to, and should, reduce the
9 aforementioned property to the possession of the United States of America.

10 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the
11 United States of America should seize the aforementioned property.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of
13 PATRICK ONEAL GERVAIS in the aforementioned property is forfeited and is vested in the United
14 States of America and shall be safely held by the United States of America until further order of the
15 Court.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America
17 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture
18 website, www.forfeiture.gov, notice of this Order, which shall describe the forfeited property, state
19 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state
20 the name and contact information for the government attorney to be served with the petition,
21 pursuant to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).

22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed
23 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,
25 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the
26 following address at the time of filing:

1 Michael A. Humphreys
2 Assistant United States Attorney
3 Daniel D. Hollingsworth
4 Assistant United States Attorney
5 Lloyd D. George United States Courthouse
6 333 Las Vegas Boulevard South, Suite 5000
7 Las Vegas, Nevada 89101.

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9 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein
10 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency
11 following publication of notice of seizure and intent to administratively forfeit the above-described
12 property.

13 DATED this 23 day of July, 2012.
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16 UNITED STATES DISTRICT JUDGE
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